

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SUSAN SCHWIER,

Plaintiff,

v.

CASE NO. 14-14881

HON. MARIANNE O. BATTANI

CAROLYN W. COLVIN,  
ACTING COMMISSIONER  
OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Susan Schwier brings this action pursuant to 42 U.S.C. § 405(g), challenging the final decision of the Commissioner denying her application for benefits under the Social Security Act, 42 U.S.C. § 401 et seq. Plaintiff filed her application on June 7, 2012, alleging disability as of January 1, 2008. After Plaintiff's claim was denied, she requested a hearing. Administrative Law Judge John Dodson ("ALJ") presided over the July 16, 2013 hearing. In a decision dated August 29, 2013, the ALJ denied benefits.

The Appeals Council denied Plaintiff's request for review of the ALJ's decision. Plaintiff timely filed this action for judicial review of the Commissioner's decision. The case was referred to Magistrate Judge Elizabeth A. Stafford pursuant to 28 U.S.C. § 636. The parties filed cross-motions for summary judgment. In her Report and Recommendation (R&R), Magistrate Judge Stafford recommended that Plaintiff's Motion for Summary Judgment be denied and that Defendant's Motion for Summary Judgment be granted. The Magistrate Judge also informed the parties that objections to the R&R needed to be

filed within “fourteen days of service” and that a party’s failure to file objections would waive any further right of appeal. (Doc. No. 13 at 13). Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge’s recommendation, **DENIES** Plaintiff’s Motion for Summary Judgment, **GRANTS** Defendant’s Motion for Summary Judgment, and **AFFIRMS** the Commissioner’s decision. Plaintiff’s Complaint is **DISMISSED** in its entirety.

**IT IS SO ORDERED.**

Date: January 29, 2016

s/Marianne O. Battani  
MARIANNE O. BATTANI  
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court’s ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on January 29, 2016.

s/ Kay Doaks  
Case Manager